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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

JESSE ANNE MAJORS,  Plaintiff,  v.  THOMAS JEFFERSON SCHOOL OF LAW, et al,  Defendants,	MEMORANDUM OPPOSING MOTION TO EXTEND FILING DEADLINE [DKT 14]   Case No.: 2:11cv00558 CW
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Plaintiff has moved the court for an order extending the time for her to respond to Defendant's Motion to Dismiss, Docket No. 3. The docket shows that on June 29, 2011 Plaintiff filed her Objection to Motion to Dismiss, Docket no. 9. DUCivR 7-1(b)(3) specifically addresses this situation. It allows for a motion and moving memorandum, an opposing memorandum, which is what Plaintiff's Objection (Docket No. 9) was. The rule specifically provides "no other memoranda will be allowed without leave of court." Plaintiff's objection, brief as it was, was her opposing

memorandum. She is not entitled to supplement it further.

Plaintiff included in her extension motion a recitation of reasons she could not answer timely. The Motion to Dismiss was filed on June 16, 2011. Plaintiff responded with her objection on June 29, 2011, failing to take advantage of the 28 days allowed for her response under DUCivR 7-1(4). While the Plaintiff's reasons may well have constituted "good cause" under Rule 6(b)(1)(A) Fed. R. Civ. P. had she requested an extension prior to the running of the 28 days allowed by DUCivR 7-1(4) once she responded the issue of good cause was moot.

Given the pleading standards currently in force flowing from the Supreme Court's *Twombly* and *Iqbal* opinions the extension Plaintiff seeks would be futile given the state of Plaintiff's Amended Complaint. The court should deny the extension motion and set the Motion to Dismiss for hearing.

DATED this 8<sup>th</sup> day of July, 2011.

/s/ Robert H Wilde  
ROBERT H. WILDE  
Attorney for Defendant Thomas Jefferson School of Law

### Delivery Certificate

I hereby certify that I caused a true and correct copy of the foregoing Memorandum to be served by the method(s) indicated below and addressed to the following on this 8<sup>th</sup> day of July, 2011.

Jesse Anne Majors  
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/s/ Robert H Wilde